

7009

March 10, 1982

WHEREAS, the deed restrictions in the attached instruments have been volunteered in conjunction with a City Plan Commission called hearing to consider an amendment to the existing deed restrictions on property generally located on Noel Road and Montfort Drive, north of Alpha Road involving file no. Z73-143/3043-Na; and,

WHEREAS, said deed restrictions were approved by the City Council at a public hearing held on March 10, 1982. Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the deed restrictions as set forth in the attached instruments be, and are hereby accepted by the City Council of the City of Dallas, Texas to be used in conjunction with the development of property zoned Office-2, as described in Ordinance #14389.

Section 2. That said deed restriction instruments shall be filed with the County Clerk to be recorded in the Deed Records of Dallas County, Texas.

Section 3. That this resolution shall take effect from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Approved as to form:

LEE E. HOLT, City Attorney.

By Bruce R. Knight
Assistant City Attorney

- cc: Planning and Development - 1
- Building Inspection - 2
- City Secretary - 1

APPROVED BY
CITY COUNCIL

MAR 10 1982

Walter D. [Signature]
City Secretary

APPROVED [Signature]
HEAD OF DEPARTMENT

APPROVED _____
CITY CONTROLLER

APPROVED _____
CITY MANAGER

3/7004 DEED RECORDS

DEED RESTRICTIONS

2142

0

158 158
100750

THE STATE OF TEXAS
COUNTY OF DALLAS

Y
Y
Y

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Addison Machinery Company, Inc. was the owner of 26.08 acres of land out of the John Witt Survey, Abstract No. 1584, City of Dallas, Dallas County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes (hereinafter "Original Property") and did impress upon said property certain Deed Restrictions recorded in Volume 74053, page 876, of the Deed Records of Dallas County, Texas.

WHEREAS, a portion of Original Property, being Lots 1 and 2 in Block 3/7004 of Montfort-Alpha Addition, an addition to the City of Dallas, Texas, according to the Map thereof recorded in Volume 79020, Page 1461, Map Records, Dallas County, Texas, and being more particularly described in Exhibit "B" attached hereto and made a part hereof (hereinafter "Alpha/Montfort Property"), was conveyed to Alpha/Montfort Joint Venture by Correction Warranty Deed with Vendor's Lien (hereinafter "Correction Deed"), dated January 23, 1981, and recorded in Volume 81023, Page 1154, of the Deed Records of Dallas County, Texas.

WHEREAS, Correction Deed intended to clarify the rights of Alpha/Montfort Joint Venture under the referenced Deed Restrictions and to designate 1.0873 acres as unrestricted property.

WHEREAS, Alpha/Montfort Property was conveyed to Triland International, Inc., by Special Warranty Deed with Vendor's Lien, dated June 10, 1981, and recorded in Volume 81115, Page 0682, of the Deed Records of Dallas County, Texas.

WHEREAS, Alpha/Montfort Property was replatted and is reflected as Lot 1-A in Block 3/7004 of the Replat of the Montfort-Alpha Addition, an addition to the City of Dallas, according to the Map thereof recorded in Volume 81105, Page 2634, Map Records of Dallas County, Texas.

VOL PAGE

82051 0688

273-143/3043-Wa

TRACTS "H" & "I" COMBINED

NOW, THEREFORE, for purposes of clarifying the rights under the referenced Deed Restrictions, Triland International, Inc., owner of Alpha/Montfort Property, being 3.6245 acres out of the Original Property, does hereby revoke the referenced Deed Restrictions and the designation of 1.0873 acres of unrestricted land as to Alpha/Montfort Property and replaces same with the following Deed Restrictions, to wit:

1. The undersigned, its successors and/or assigns, do hereby agree that no buildings on said tract shall exceed 225 feet in height.

2. The undersigned, its successors and/or assigns, do hereby agree that no more than 450,000 square feet of floor area, excluding parking structures, shall be developed on said tract.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do hereby grant to the City of Dallas the right to prosecute, at law and in equity, against the person violating or attempting to violate such restrictions, either to prevent him from so doing and to correct such violation and for further remedy, the City of Dallas may withhold the Certificate of Occupancy necessary for the lawful use of the property until such restrictions described herein are fully complied with.

VOL PAGE

These restrictions are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring property within the above-described tract, and any person by acceptance of title to any of the above-described property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this the 8th day of March, 1982.

TRILAND INTERNATIONAL, INC.

By J. J. [Signature]
Its Executive Vice President

VOL PAGE

82051 0692

THE STATE OF TEXAS X
 X
COUNTY OF DALLAS X

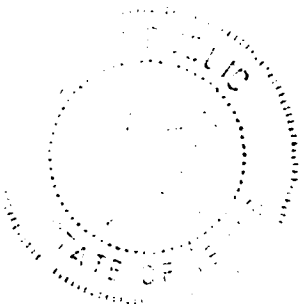
BEFORE ME, the undersigned authority, on this day personally appeared N. DiGiuseppe, Executive Vice President of TRILAND INTERNATIONAL, INC., known to me to be the said officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of TRILAND INTERNATIONAL, INC., for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 8th day of March, 1982.

Ellen Koenig
Notary Public in and for
The State of T E X A S

My Commission Expires:

1-31-84



Approved as to form:
LEE E. HOLT, City Attorney
By Darryl F. Knight
Assistant City Attorney

BEING all that certain lot, tract, or parcel of land situated in the JOHN WITT SURVEY, ABSTRACT NO. 1584, Dallas County, Texas, and being in the City of Dallas, Block No. 7004, and being part of a 62.95 acre tract of land as described in partition Deed "Estate of Florence Barton to Theresa Davidson White, et al", as set aside to George A. Keller, and being more particularly described as follows:

BEGINNING at the point of intersection of the North line of said Keller tract with the West line of Noell Road, said beginning point being 1160.5 feet North $5^{\circ}33'30''$ West and 25.08 feet South $89^{\circ}51'$ West from the point of intersection of the centerline of Noell Road with the South line of said WITT SURVEY;

THENCE South $5^{\circ}33'30''$ East with the West line of Noell Road, a distance of 765.04 feet, to a point for corner in the North line of Teddy Street;

THENCE South $89^{\circ}18'30''$ West with the North line of Teddy Street, a distance of 580.8 feet to a point for corner;

THENCE South $5^{\circ}33'30''$ East, a distance of 200.72 feet to a point for corner in the North line of a 15 foot alley, as dedicated by plat of WALTER H. TURNER SUBDIVISION, SECOND INSTALLMENT, an Addition to the City of Dallas, Texas, according to the map thereof recorded in Volume 282 at page 1249 of the Map Records of Dallas County, Texas;

THENCE South $89^{\circ}18'30''$ West with the North line of said 15 foot alley, passing the Northwest corner of said alley at 529.41 feet and continuing in all a distance of 828.30 feet to a point for corner;

THENCE North $0^{\circ}10'30''$ West, a distance of 974.79 feet to a point for corner in the North line of said Keller tract;

THENCE North $89^{\circ}51'$ East along the North line of said Keller tract, a distance of 1318.44 feet to the PLACE OF BEGINNING and containing 1,204,414.0 square feet or 27.6495 acres of land, less 68,330.6 square feet or 1.5686 acres of land in Teddy Street and the East 30 feet of proposed Noell Road relocation, leaving 1,136,083.4 square feet or 26.0809 acres of land net.

EXHIBIT B

Being a tract of land situated in City Block 7004, City of Dallas, Texas, and being out of the John Witt Survey, Abstract No. 1584, Dallas County, Texas, and being a part of the Grover H. Hope 25.69 acre tract more particularly described as follows:

BEGINNING at a point in the west line of Montfort Drive (74 ft. R.O.W.) said point being the Northeast corner of the Sands and Sterling 2 acre tract and also being North $5^{\circ} 34'$ West, a distance of 200.2 feet from the North line of a 15 ft. alley;

THENCE South $89^{\circ} 22'$ West, a distance of 568.08 feet along the Sands and Sterling North line to an iron rod of a corner;

THENCE North $5^{\circ} 33'$ West, a distance of 276.0 feet to an iron rod for a corner;

THENCE North $89^{\circ} 22'$ East, a distance of 400.0 feet to an iron rod for a corner;

THENCE North $82^{\circ} 32' 08''$ East, a distance of 167.47 feet to an "X" in concrete for a corner;

THENCE South $5^{\circ} 34'$ East, a distance of 296.0 feet along the West line of Montfort Drive to the Point of Beginning and containing 3.6245 acres (157,881 square feet) of land.

and BEING now known as Lots 1 and 2 in Block 3/7004 of Montfort-Alpha Addition, an addition to the City of Dallas, Texas, according to the Map thereof as recorded in Volume 79020, Page 1461, Map Records, Dallas County, Texas.

VOL PAGE

82051 0698

FILED
L. E. Mandloch
COUNTY CLERK
DALLAS COUNTY

'82 MAR 12 AM 11:10

82051 0699

PAGE VOL

COUNTY CLERK, Dallas County, Texas
L. E. Mandloch
MAR 15 1982
STATE OF TEXAS
COUNTY OF DALLAS
I hereby certify that this instrument was
filed on the date and time stamped hereon
by me and was duly recorded in the volume
and page of the named record in Dallas
County, Texas as stamped hereon by me.



RECEIVED
MAR 9 1982
ZONING OFFICE

Grantee:
City of Dallas
CITY SECRETARY
CITY HALL
DALLAS, TEXAS 75201

Return to:
CITY SECRETARY
CITY HALL
DALLAS, TEXAS 75201

0-2

1/24/71 11:30 AM

Undeveloped

MF-3
DR

R-7.5
3500

MF-1

Citizen
Offices

Post
Office

Office

Single
Family

Undeveloped

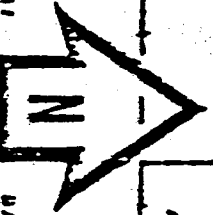
Undeveloped

Office

Retail

Apartments

Galleria
Under Construction



MF-1

Z73-143/3043-Nd

GR

S.C.

P-1

MF-1

GR

S.C.

820948